

House File 497 - Introduced

HOUSE FILE 497

BY KELLEY

A BILL FOR

1 An Act modifying penalties for littering.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455B.364, Code 2015, is amended to read
2 as follows:

3 **455B.364 Penalty.**

4 Any person violating the provisions of section 455B.363,
5 upon conviction, shall be guilty of a simple misdemeanor.
6 The court, in lieu of or in addition to any other sentence
7 imposed, may direct and supervise a labor of litter gathering.
8 Notwithstanding section 903.1, any person who violates section
9 455.363 shall be fined at least two hundred fifty dollars.

10 Sec. 2. Section 805.8A, subsection 14, paragraph d, Code
11 2015, is amended to read as follows:

12 *d. Litter and debris violations.* For violations under
13 sections 321.369 and 321.370, the scheduled fine is ~~seventy two~~
14 hundred fifty dollars.

15 Sec. 3. Section 805.8B, subsection 6, paragraph e, Code
16 2015, is amended to read as follows:

17 *e.* For violations under section 461A.43, the scheduled fine
18 is ~~thirty two~~ hundred fifty dollars.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill increases penalties for littering.

23 Under Code section 455B.363, a person shall not discard
24 any litter onto or in any water or land of this state. Under
25 current law, a person who violates Code section 455B.363 is
26 guilty of a simple misdemeanor, and shall be fined at least \$65
27 but no more than \$625. The bill provides that a person who
28 violates Code section 455B.363 shall be fined at least \$250.

29 Under Code sections 321.369 and 321.370, a person shall not
30 litter on a highway. Under current law, the scheduled fine for
31 violating Code sections 321.369 and 321.370 is \$70, and the
32 bill increases the scheduled fine to \$250.

33 Under Code section 461A.43, a person shall not litter in
34 a state park or preserve. Under current law, the scheduled
35 fine for violating Code section 461A.43 is \$30, and the bill

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1 increases the scheduled fine to \$250.